

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IN RE

AIR CARGO SHIPPING SERVICES
ANTITRUST LITIGATION

06-MD-1775

ALL CASES

M.D.L. No. 1775
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PRACTICE AND PROCEDURE ORDER NUMBER 2

No objections having been received to the court's Decision and Order dated November 15, 2006 concerning appointment of lead interim class counsel, the court enters the following order.

I. ORGANIZATION OF PLAINTIFFS' COUNSEL

A. Plaintiff's Co-Lead Counsel: The Court appoints Barbara Hart of Labaton Sucharow & Rudoff LLP, Michael Hausfeld of Cohen, Milstein, Hausfeld & Toll P.L.L.C., Robert Kaplan of Kaplan Fox & Kilsheimer LLP, and Howard Sedran of Levin Fishbein Sedran & Berman as Plaintiffs' Co-Lead Counsel ("Co-Lead Counsel").

B. Role of Co-Lead Counsel: Co-Lead Counsel shall be responsible for coordinating the activities of the plaintiffs in the conduct of this litigation during pre-certification proceedings, and shall, after such consultation with counsel for other plaintiffs as may be appropriate, have the following responsibilities:

1. To determine plaintiffs' positions on all matters and present such positions to the Court and to opposing parties in briefs, memoranda, correspondence, oral argument or in such other manner as may be appropriate;
2. To coordinate and initiate the conduct of discovery on behalf of the plaintiffs consistent with the requirements of the Federal Rules of Civil Procedure;
3. To conduct settlement negotiations on behalf of the plaintiffs;
4. To delegate specific tasks to other counsel or committees of counsel in a manner to ensure that pretrial proceedings are conducted efficiently and effectively;
5. To monitor the activities of co-counsel to ensure that schedules are met and unnecessary expenditures of time and funds are avoided;

6. To maintain adequate time and disbursement records covering services as co-lead counsel; and

7. To perform such other duties as may be incidental to proper coordination of plaintiffs' pretrial activities or as authorized by further order of the court.

C. Liaison Counsel: Within ten days, Co-Lead Counsel shall propose to the court a law firm to serve as liaison counsel for the plaintiffs whose responsibilities shall include receiving and, as appropriate, distributing to co-counsel orders from the court and documents from opposing counsel, and otherwise facilitating and expediting communications among co-counsel including Co-Lead Counsel.

II. SCHEDULING

In accordance with the scheduling discussed at the initial conference in September, the court establishes the following deadlines:

1. On or before January 18, 2007, Co-Lead Counsel shall file a consolidated amended class action complaint;
2. On or before December 19, 2006, the defendants shall advise Co-Lead Counsel in writing concerning the defendants who may object to personal jurisdiction and the basis for such objections to permit the plaintiffs to cure errors and technical defects before filing the consolidated amended class action complaint;
3. On or before February 19, 2007, the defendants shall answer or otherwise respond to the consolidated amended class action complaint. Any defendants who wish to move to dismiss the consolidated amended class action complaint must request a premotion conference with Judge Amon in accordance with her rules of practice by that deadline.

SO ORDERED:

Viktor V. Pohorelsky

VIKTOR V. POHORELSKY
United States Magistrate Judge

Dated: Brooklyn, New York
December 4, 2006